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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,420	07/25/2006	Fabien M.J. Guillorit	US040083US2	1757

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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CAO, CHUN

ART UNIT	PAPER NUMBER
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2115

MAIL DATE	DELIVERY MODE
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06/03/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,420	<b>Applicant(s)</b> GUILLORIT, FABIEN M.J.	
	<b>Examiner</b> Chun Cao	<b>Art Unit</b> 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/25/06</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-19 are presented for examination.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title is imprecise.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show detailed descriptions in figures 1 and 2 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required

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corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to because figure 2 shows label in different page with different illustration, It should be label with different figure number, such as 2A and 2B. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the query" in line 7. There is insufficient antecedent basis for the limitation in the claim.

Claims 2-10 are rejected because they incorporate the deficiencies of claim 1.

Claim 11 recites the limitations "the person computer" in line 7; "the connection" in line 8; "the transfer" in line 12. There are insufficient antecedent basis for the limitation in the claim.

Claims 12-15 are rejected because they incorporate the deficiencies of claim 11.

Claim 15 the limitation "the query" in line 8. There is insufficient antecedent basis for the limitation in the claim.

Claims 16-19 are rejected because they incorporate the deficiencies of claim 15.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Robbin et al. (Robbin), US publication no. 2003/0167318<sup>1</sup>.

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<sup>1</sup> Robbin is cited by applicant.

As per claim 1, Robbin teaches a method for performing bi-directional synchronization between media content of a media player with media content of a host device through play lists [figures 3-5; abstract all], said method comprising the acts of:

detecting connection of the media player to the host device [paragraphs 0031, 0038]; requesting, from the host device, at least one play list from the media player marked for synchronization; responsive to a query, transferring from the media player to the host device said at least one play list marked for synchronization [paragraphs 0041; 0042]; comparing time and date information of said at least one play list marked for synchronization with time and date information of corresponding play lists of said host device [a playlist update; paragraphs 0041, 0042, 0048], said comparing producing comparison information; determining which play lists are to be copied from the media player to the host device and which play lists are to be copied from the host device to the media player based on the comparison information; and copying the determined play lists to perform the bi-directional synchronization [figures 3-6; paragraphs 0028, 0031, 0033, 0040, 0041, 0046, 0048, 0050].

As per claim 2, Robbin teaches of creating and storing play lists comprising multi-media content in each of said host device and media player [paragraphs 0027 0028; figure 2].

As per claim 3, Robbin teaches that the host device is a personal computer which is using a dedicated application program stored on the personal computer [paragraphs 0027 0028; figure 2].

As per claim 4, Robbin teaches of storing the play lists copied from the media player to the host device in a memory store of the host device and storing the play lists copied from the host device to the media player in a memory store of the media player [paragraphs 0027 0028, 0031, 0048, 0050; figure 2].

As per claim 5, Robbin teaches of detecting connection of the media player to the host device further comprises determining if the media player is connected to the host device for purpose of synchronization [paragraphs 0031, 0038-0040].

As per claim 6, Robbin teaches determining if the media player has created at least one new play list; copying the at least one new play list from the media player to the host device when said determination act is satisfied; and storing the at least one new play list in a data directory of the host device [paragraphs 0031, 0033, 0040, 0041, 0046, 0048, 0050].

As per claim 7, Robbin teaches of determining if the media player has deleted at least one pre-existing play list; copying the at least one deleted play list from the media player to the host device; and storing the at least one deleted play list in an archive data directory of the host device [0028, 0031, 0033, 0040, 0041, 0046, 0048, 0050].

As per claim 8, Robbin teaches that the media player comprises an audio player, and wherein the audio player play lists comprise media content comprising at least audio files of songs [fig. 2, paragraphs 0026, 0027].

As per claim 9, Robbin teaches that the media player comprises a video player, and wherein the video player play lists include media content comprising at least video files of videos [fig. 2, paragraphs 0026, 0027].

As per claim 10, Robbin teaches that the media player comprises an image viewer, and wherein the image viewer play lists include media content comprising at least image files of images [fig. 2, paragraphs 0026, 0027].

As to claims 11-14, claims 1-14 basically are the corresponding elements that are carried out the method of operating steps in claims 1-10. Accordingly, claims 11-14 are rejected for the same reason as set forth in claims 1-10.

As to claims 15-19, Robbin teaches the claimed system. Therefore, Robbin teaches the claimed computer program storing in a machine-readable medium for carrying out the system.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao whose telephone number is 571-272-3664. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should



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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 1, 2009

/Chun Cao/

Primary Examiner, Art Unit 2115